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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,114	11/05/2001	Hung T. Nguyen	01-633	6984

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EXAMINER
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MEONSKE, TONIA L

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/993,114

Applicant(s)

NGUYEN ET AL.

Examiner

Tonia L. Meonske

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 1-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Henry et al., US Patent 6,421,774 (Herein referred to as Henry).

4. Referring to claim 1, Henry has taught for use in a wide-issue processor, a mechanism for conditionally executing instructions, comprising:

- a. a conditional execution block state machine that tags and generates link pointers for instructions located in a conditional execution block (Figure 1, Instruction pointers, column 6, line 62-column 7, line 44); and
- b. conditional link pointer register sets (Figure 1, elements 134, 144, 136, 146, 138, 148, 130, and 140), wherein each of said sets corresponds to a stage of a pipeline of said

processor (Figure 1, elements 134 and 144 correspond to the register stage, elements 136 and 146 correspond to the address stage, elements 138 and 148 correspond to the data stage, and elements 130, and 140 correspond to the write back stage.), that contain and cause said link pointers to move through each of said sets as said instructions associated with said link pointers and located in said conditional execution block move through stages (Figure 1, column 7, lines 25-59, elements 134, 144, 136, 146, 138, 148, 130, and 140).

5. Referring to claim 2, Henry has taught the mechanism as recited in Claim 1, as described above, and further comprising a conditional execution marking queue, associated with said conditional execution block state machine, that contains ones of said link pointers prior to storage in said sets (Figure 1, Elements 151, 142, and 103 comprise the claimed execution marking queue.).

6. Referring to claim 3, Henry has taught the mechanism as recited in Claim 2, as described above, and wherein said conditional execution marking queue is a five-bit, six-entry queue (Figures 1, 3, and 4, column 10, lines 38-45, At least 12 bits, or entries, are in the queue.) and comprises a reordering multiplexer (Figure 1, element 151).

7. Referring to claim 4, Henry has taught the mechanism as recited in Claim 1, as described above, and further comprising a conditional execution attribute register, associated with a group stage of said pipeline, that contains an attribute associated with one of said conditional instructions (column 2, lines 34-61, column 5, line 20-column 6, line 28, element 103, The branch history bits for instructions are stored in a conditional execution attribute register of the history table in the branch predictor, element 103 ).

8. Referring to claim 5, Henry has taught the mechanism as recited in Claim 1, as described above, and where said conditional execution block state machine generates said link pointers that mark the beginning and end of a conditional execution block of instructions (Column 10, lines 11-23, Instruction pointers that point to a taken branch target address mark the beginning of a conditional execution block of instructions. On a branch taken misprediction, the instruction pointer marks the end of the conditional execution block of instructions by pointing to the next sequential instruction.).

9. Referring to claim 6, Henry has taught the mechanism as recited in Claim 4, as described above, and further comprising a conditional execution attribute queue that contains attributes read from said conditional execution attribute register (Figure 1, elements 103, 134 136, 138, and 130 comprise the conditional execution attribute queue.).

10. Referring to claim 7, Henry has taught the mechanism as recited in Claim 6, as described above, and wherein said conditional execution attribute queue is of variable depth (column 10, lines 38-44, column 11, lines 21-29) and comprises a selecting multiplexer (Figure 1, element 103, Figure 4, element 414).

11. Claims 8 and 15 do not recite limitations above the claimed invention set forth in claim 1 and is therefore rejected for the same reasons set forth in the rejection of claim 1 above.

12. Claims 9 and 16 do not recite limitations above the claimed invention set forth in claim 2 and is therefore rejected for the same reasons set forth in the rejection of claim 2 above.

13. Claims 10 and 17 do not recite limitations above the claimed invention set forth in claim 3 and is therefore rejected for the same reasons set forth in the rejection of claim 3 above.

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14. Claims 11 and 18 do not recite limitations above the claimed invention set forth in claim 4 and is therefore rejected for the same reasons set forth in the rejection of claim 4 above.

15. Claims 12 and 19 do not recite limitations above the claimed invention set forth in claim 5 and is therefore rejected for the same reasons set forth in the rejection of claim 5 above.

16. Claims 13 and 20 do not recite limitations above the claimed invention set forth in claim 6 and is therefore rejected for the same reasons set forth in the rejection of claim 6 above.

17. Claims 14 and 21 do not recite limitations above the claimed invention set forth in claim 7 and is therefore rejected for the same reasons set forth in the rejection of claim 7 above.

***Response to Arguments***

18. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

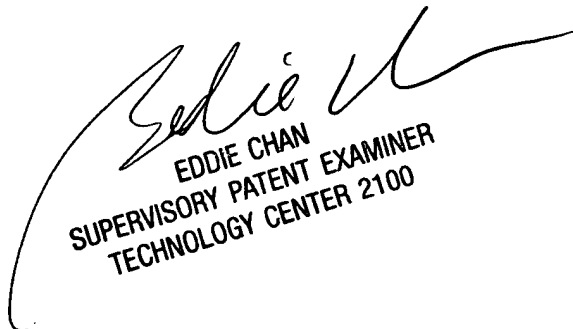
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170. The examiner can normally be reached on Monday-Friday, with every other Friday off.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie P. Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm



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